**APPLICATION** 

(RULE 62) For Design or Utility Applications

**BOX FWC** 

The Hon. Commissioner of Patents	Prior Application:	#10
and Trademarks	Group Art Unit: 3309	
Washington, D.C. 20231	Examiner: TUCKER, G.	<u> </u>
Sir:	Atty Dkt: 225557 / none	<u> </u>
Sii.	<u>new</u> M# / Client Ref. (Our Deposit Account No. 03-3975	548 
This is a RULE 62 Request for filing from	(Our Order No. 40858 / 225557	5 <u>5 5 5 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6</u>
prior copending parent Application No. <u>08 /389,399</u>	, a C# / new M#	000 E
series code ↑ ↑ serial r	, =	
[ ] divisional		K ==
[X] continuation (Exr. NOTE: any election in parent as	to species/restriction requirement:	
[ X ] is carried over with traverse) [ ] is not carri	ied over)	
[ ] continuation-in-part without new Declaration (Rule 53	(d)) I I without fee	
<u> </u>		
[ ] continuation-in-part (with new Declaration attached he	sieto)	
The parent was filed on <u>February 16, 1995</u>		OR FORMING
A CENTERED BORE FOR THE FEMORAL STEM OF A H	HIP PROSTHESIS	
ear '		,
the following named inventor(s) who is/are [ ] the same	e as, [ ] less than all of (see Item 17).	
] more than (for CIP only), those named in that parent a	· ·	
	• •	
1. Inventor Lanny L. First Middle Initial	JOHNSON USA Family Name Country of Citizenship	
First Middle Initial  Residence (City) (State/Foreig	•	
Post Office Address 2050 F. Mount Hone Bood, Okom		
Post Office Address 2950 E. Mount Hope Road, Okem (include Zip Code)	OS, IVII 48864	
, , , , , , , , , , , , , , , , , , , ,		
② InventorFirst Middle Initial	Family Name Country of Citizenship	
Residence (City) (State/Foreig	•	
	iii Codiiii y j	
Post Office Address		
(include Zip Code)		
3. InventorFirst Middle Initial	Family Name Country of Citizenship	
Residence (City) (State/Foreig	•	
	n Country)	
Post Office Address		
(include Zip Code)		
4. InventorFirst Middle Initial	Family Name Country of Citizenship	
Residence (City) (State/Foreig	•	
Post Office Address		
(include Zip Code)		
5. Inventor		
First Middle Initial	Family Name Country of Citizenship	
Residence (City) (State/Foreig	•	
Post Office Address		
(include Zip Code)	· · · · · · · · · · · · · · · · · · ·	
NOTE: FOR ADDITIONAL INVENTORS, check box [ ]	and attach sheet (CDC-110A) with same infor	mation for each

inventor starting with inventor No. 6 and number new page 1A.

[	<ul> <li>The issue fee has be petition, and per prohibits use of</li> <li>Priority is claimed use</li> </ul>	er 1138 OG 40 wa the rules to file a	iver is respec in FWC after	tively requested payment of the is	of that pa	a Rule 313(b) art of Rule 62	(5) which of:
	Application No.	Filing I	Date	Application		ountry) <u>Filing Dat</u>	e
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(	1) 2)			(4)(5)			
(	3)			(6)			
	aíl (N	o.) Certified copy/	conies attach	ed			
	b. [ ] Certified of	copy/copies previouslication No/	usly filed on	<del></del>		in pri	or
	U.S. App	lication No. <u>/</u> series code ↑	A poriol n	, filed on			·
	c. [ ] Certified of	copy/copies filed d	r <u>senai no</u> uring Internat	<u>o.</u> ional stage of P0	CT/	1 .	
	d. [ ] Priority is	also claimed from	PCT/	file	d	·	,
ſ	] The prior application	n is assigned of re	ecord to				
L							
	by Assignment i	ecorded Date		Reel		Frame	·
	] Attached is an Assi Please return to			undersigned.			
[ x	] The power of attorr	ey in the prior ap	plication is to	Kevin E. Joyc	<u>e, 20,508</u>		
٠.	<del></del>		(Name, Reg.	No.)			·
	the address of	whom is in item 8	•				
[	] Recognize as assoc	ciate attorney	,				_
	(Name and Re	g. No.; Address as	s in item 8 un	less otherwise in	dicated)	· · · · · · · · · · · · · · · · · · ·	
Pil	ldress all future co llsbury Madison & Su ashington, D.C. 2000	itro LLP, Ninth F					Group of
[X]	Amend the specifica requested in any price				any com	parable insert	previously
[	] continuation-in-pa	art (CIP)	[ x ] cor	ntinuation	[	] division	
_ of	Application No. <u>08/</u> series code	389,399	_, filed on <u>F</u>	ebruary 16, 1995	j	,	which was 🥠
	series code andoned upon the filin						•

11.	information or access is available to any one of the applic	under 35 U.S.C. 122 is nereby <u>waived</u> to the extent that if cations in the file wrapper of a 37 CFR 1.62 application, be file wrapper, the Patent and Trademark Office may provide in the same file wrapper.
12.	Petition to extend the life of the above prior application to	at least the date hereof
NO	OTE: (One box) [ ] is being concurrently filed in that prior (must be) [ ] was previously filed in that prior applic (X'd) [ x ] is not necessary for copendency ( do	ation (Check length of prior extension).
13.	[ x ] Please enter the amendment previously filed on Nov but unentered in the above prior application.	ember 22, 1996
14.	[ ] Attached:sheet(s) per set of drawing of Fig(s) [ ] 1 set informal; [ ] formal of size	e: [ ] A4 · [ ] 11"
15.	[x] PRELIMINARY AMENDMENT to be entered before cancellation of whole claims or multiple dependencies and 607; do not cancel all claims.):	re fee calculation (Do <u>not</u> make amendments here except is for purpose of reducing the filing fee per MPEP §§ 506
<b>16</b> .	[ ] Attached is a Rule 103(a) Petition to Suspend Action	
B.	Petition is hereby made requesting deletion as inventor(s) being claimed in this Rule 62 application:	which discloses and claims additional matter and the
ģ,	1 2.	
	3 4.	· · · · · · · · · · · · · · · · · · ·
j	<ul> <li>This Rule 62 application is a continuation-in-part amendments in attached Amendment are to be constant.</li> <li>New Declaration is attached.</li> <li>This application is also filed under Rule 53(d) (with FILING FILING FEE).</li> </ul>	hout a Declaration) and hence <u>filing fee is not enclosed</u> .  FEE
9	EXISTING IN THE PRIOR APPLICATION	
뒢	•	see box 10 re: Large/Small Entity Fee Code
19.	Basic filing fee	
20.	Basic filing fee	Not Design Appln \$770/\$385 \$ 385.00 (101/201)
	Total Effective Claims 15 minus 20 = Independent Claims 01 minus 3 =	* 00
23.	If any proper (ignore improper) multiple dependent claim is	*If answer is zero or less, enter "0" s present, add \$260/\$130 + 00 (104/204)
24,		TOTAL FILING FEE = \$ <u>385.00</u>
25.	If "assignment" box 5 above is X'd,	add recording fee (\$40.00) + (581)
26.	If "petition" box 16 above is X'd,	add petition fee (\$130.00) + (122)
27.		FEE ATTACHED = \$\frac{385.00}{(carry forward to line 36)}

28. 29.	•-		(Do <u>N(</u>	ichee (to be OT X box 28 AMENDMI	3 or 29	9 for CIF	Am	endr	ment.	See b	ox 18)	No.:			
30.	[ ] ATTACHI	ED:													
31.				ADDITIC PRI	ELIMI	FEE CA NARY A BOXES	MEN	IDM	_	OR					
ji=1		Claims remaini after amendi	ing	High num prev paid	ber iously	,		Pre Ext	esent tra					Addition Fee	nal
										Larc	je/Smali	l Entity			Re-Code
32.	Total Effective	Claims	_12	minu	s **	24	=	*	0	×	\$22/\$1		\$	.00	(108/208)
83.	Independent C	Zlaims	03	minu	s ***	03	_ =	*	0	×	\$80/\$4		+	.00	(102202)
34.	If amendment	enters pr	oper multi	ple depend	ent cla	aim(s) in	nto th	is ar	oplicati	on fo	Ť		_		, (
ij	first time,						add	\$260	0/130	(per a	pplication	on)	+_	.00	(104204)
35. 36. 37.									Α	DDITI	ONAL F	EE	\$	.00	-
<b>3</b> 6.					plu	<u>ıs</u> FEE f	from	item	27 on	page	3		+_3	385.00	_
<b>3</b> 7.	• .							<u>TO</u>	TAL F	EE A	TACHE	D	\$	385.00	=
38.*If the entry in the first space is less than entry in the middle space, the "Present Extra" result is "0".															
39.*	*If the "Highest nur	nber previo	usly paid for	" (see item 2	above	) is less t	han 2	0, wr	ite "20" i	in this	space.				
40.*	**If the "Highest nu	ımber previo	ously paid fo	or" (see item 2	2 above	e) is less	than :	3, wri	te "3" in	this sp	ace.				
41.	CHARGE STATEM fee(s) filed, or ass under Rules 16-18 or credit any overn This CHARGE is filed.	erted to be (missing opayment, to	filed, or which or insufficient our Account	ch should have fee only) now l/Order Nos. s	e been to or here hown in	filed here eafter relate the head	with o tive to ding h	r condition this a ereof	cerning application for which	any pa on and th purp	per filed h the result ose a <u>dup</u>	ereafter, ing Offic licate co	and w ial docu py of th	hich may be ument under his sheet is a	required Rule 20, attached.
•	io illudi		In	ushman Datellectual	Prope	rty Gro	up c								
	00 New York A		.W.	illsbury Ma		n & Sut	ro Li	LP							,
	nth Floor, East Ishington, D.C.			Kevin E. J	эусе					_Reg	g. No	<u> 20,508</u>			
Tel	: (202) 861-30 y/Sec: KEJ:jl	00	Sig:	(D)	5	L	≥.				: (202) : (202)				
ALL.	NOTE	: <b>No: 1</b> : F	File this Re	equest in <u>d</u> on in parent						ipts (0	DC-103	 3) & att	tachm		

Page 1 of 4

PATENT

**APPLICATION** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE REQUEST FOR FILE WRAPPER CONTINUING APPLICATION UNDER 37 CFR 1.62 (RULE 62)

For Design or Utility Applications

**BOX FWC** 

The Hon. Commissioner of Patents		Prior Applicat			
and Trademarks Washington, D.C. 20231		Group Art Un	it: <u>3309</u> niner: TUCKE	-	
vvasnington, D.C. 20231	`	Atty Dkt:		/ none	
Sir:			<u>223337</u> ew M# /	Client Re	
,		(Our Deposit	<del></del>		·
This is a <u>RULE 62 Request</u> for filing fr	om	(Our Order N			S 2 8
prior copending parent Application No.			C#		000
series cod			April 3, 1997		220
divisional					2
[ X ] continuation( <b>Exr.</b> <u>NOTE</u> : any e	election in parent as t	to species/restriction	on requireme	ent:	
[ X ] is carried over with traver	se) [ ] is not carrie	ed over)	•		
continuation-in-part without new		<b>`</b> .	fee		
continuation-in-part (with new Dec	•				
		,			
The parent was filed on February 16,	1995	, entitled ME	THOD AND	APPARATU	S FOR FORMING
A CENTERED BORE FOR THE FEMO					
				· · · · · · · · · · · · · · · · · · ·	
by the following named inventor(s) who	is/are f 1 the same	e as [ ] less tha	n all of (see	Item 17)	· · · · · · · · · · · · · · · · · · ·
[ ] more than (for CIP only), those na		• • •	11 411 01 (300	17 ),	
• • • • • • • • • • • • • • • • • • • •	inca in that parent a	• •	ON!		C 4
1. InventorLanny First	Middle Initial	JOHNSO Family Name	Country of (		SA
Residence (City)		•	-	•	
	-				
Post Office Address 2950 E. Moun					
(include Zip Code)					
2. InventorFirst	Middle leitel	Family Name	0	0'''	
	Middle Initial	Family Name	Country of	Citizensnip	
Residence (City)					
Post Office Address					· · · · · · · · · · · · · · · · · · ·
(include Zip Code)					
3. InventorFirst					
	Middle Initial		Country of	Citizenship	
Residence (City)	(State/Foreigi	n Country)			
Post Office Address					
(include Zip Code)					
4. Inventor					
First	Middle Initial	Family Name	Country of	·	
Residence (City)					
Post Office Address					
(include Zip Code)	<del></del>	·			
5. Inventor					
First	Middle Initial	Family Name	Country of	Citizenship	
Residence (City)		-	· -	•	
Post Office Address	•	· · · · · · · · · · · · · · · · · · ·			
(include Zip Code)					
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NOTE: FOR ADDITIONAL INVENTORS, check box [ ] and attach sheet (CDC-110A) with same information for each

inventor starting with inventor No. 6 and number new page 1A.

1	Requirement of Rule 62: Rule of filings are to be used only when the issue noted below) in the above-identified prior application nor that application aband. This Rule 62 filing will be considered by the PTO as an express abandonment of this Rule 62 filing is pursuant to Rule 313(b)(5), i.e., when the issue has been petition filed to abandon that application to permit an IDS to be considered in CFR 1.53 (Rule 53) may be used for continuations and divisions where abandoned.)	loned or its proceedings termina of that prior application <u>except value</u> or paid in the prior application a this Rule 62 application. (Note
	[ ] The issue fee <u>has been paid</u> in the parent, but this Rule 62 Request folk petition, and per 1138 OG 40 waiver is respectively requested of the prohibits use of the rules to file an FWC after payment of the issue	at part of Rule 62 which
١	[ ] Priority is claimed under 35 U.S.C. 119/365 based on filing in	
	Application No. Filing Date Application No.	(country) Filing Date
	(1) (4)	
	(2)(5)	
	(3)(6)	
	a. [ ] (No.) Certified copy/copies attached.	
	b. [ ] Certified copy/copies previously filed on, filed on, filed on	in prior
	series code ↑ ↑ serial no.	<del></del> •
	c. [ ] Certified copy/copies filed during International stage of PCT/	
	d. [ ] Priority is also claimed from PCT// filed	<del>-</del>
{	[ ] The prior application is assigned of record to	
	by Assignment recorded Reel	Frame
	Date	
[	<ul> <li>Attached is an Assignment Cover Sheet.         Please return the recorded Assignment to the undersigned.     </li> </ul>	
[	[ x ] The power of attorney in the prior application is to <u>Kevin E. Joyce, 20</u>	,508
	(Name, Reg. No.) the address of whom is in item 8.	·
[	[ ] Recognize as associate attorney	
	(Name and Reg. No.; Address as in item 8 unless otherwise indicate	 ed)
		•
ı	Address all future communications to Cushman Darby & Cushman Interpretation of Pillsbury Madison & Sutro LLP, Ninth Floor, East Tower, 1100 New York Washington, D.C. 20005-3918.	
[	[X] Amend the specification by inserting before the first line (in place of any requested in any prior application) the sentence:This is a	comparable insert previously
[	[ ] continuation-in-part (CIP) [ x ] continuation	[ ] division
	of Application No. <u>08/389,399</u> , filed on <u>February 16, 1995</u> <u>series code</u> ↑ ↑ <u>serial no.</u> abandoned upon the filing hereof	
•	abandoned upon the ming hereof	
-		<del></del> -
I	<ul> <li>[ x ] 1 (No.) Verified Statement(s) establishing "small entity" status und</li> <li>a. [ x] filed in above prior application (and hence applicable hereto)</li> <li>b. [ ] attached.</li> </ul>	

1.

	information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.
12.	Petition to extend the life of the above prior application to at least the date hereof
NO	OTE: (One box) [ ] is being concurrently filed in that prior application (Use Form CDC-111).  (must be) [ ] was previously filed in that prior application (Check length of prior extension).  (X'd) [x] is not necessary for copendency (double check before X'ing this box).
13.	[ x ] Please enter the amendment previously filed on <u>November 22, 1996</u> but unentered in the above prior application.
14.	[ ] Attached:sheet(s) per set of drawing of Fig(s): [ ] 1 set informal; [ ] formal of size: [ ] A4 [ ] 11"
15.	[x] PRELIMINARY AMENDMENT to be entered before fee calculation (Do <u>not</u> make amendments here except cancellation of whole claims or multiple dependencies for purpose of reducing the filing fee per MPEP §§ 506 and 607; do <u>not</u> cancel all claims.):
16.	[ ] Attached is a Rule 103(a) Petition to Suspend Action
17.	Petition is hereby made requesting deletion as inventor(s) of the following who is/are not inventor(s) of the invention being claimed in this Rule 62 application:
	1.       2.         3.       4.
18.	<ul> <li>[ ] This Rule 62 application is a continuation-in-part which discloses and claims additional matter and the amendments in attached Amendment are to be considered an integral part of the CIP ab initio.</li> <li>a. [ ] New Declaration is attached.</li> <li>b. [ ] This application is also filed under Rule 53(d) (without a Declaration) and hence filing fee is not enclosed.         FILING FEE         THE FOLLOWING FILING FEE IS BASED ON THE CLAIMS         EXISTING IN THE PRIOR APPLICATION AS AMENDED AT 13 AND 15 ABOVE     </li> </ul>
	see box 10 re: Large/Small Entity Fee
19.	Basic filing fee Design Appln \$320/\$160 \$
20.	Basic filing fee \$770/\$385 \$ 385.00 (100.001)
	Total Effective Claims 15 minus 20 = * 00 x \$22/\$11 = + .00 (109208)  Independent Claims 01 minus 3 = * 00 x \$80/\$40 = + .00 (109208)
23.	*If answer is zero or less, enter "0"  If any proper (ignore improper) multiple dependent claim is present, add \$260/\$130 +0
24.	TOTAL FILING FEE = \$385.00
25.	If "assignment" box 5 above is X'd, add recording fee (\$40.00) + (581)
26.	If "petition" box 16 above is X'd, add petition fee (\$130.00) + (122)
27.	FEE ATTACHED = \$ 385.00
	(carry forward to line 36)

11. Requirement of Rule 62: It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if

	[ ] Freliminary Amendment attache (Do NOT ) [ ] The following PRELIMINARY AN	K box 28 or 29 for CIF	Amendment. See box 18)	<b>)</b> .:
30.	[ ] ATTACHED:			
	•			
31.		ADDITIONAL FEE CA PRELIMINARY A PER BOXES	MENDMENT	
	Claims remaining after amendment	Highest number previously paid for	Present Extra	Additional Fee
			<u>Large/Small Er</u>	ntity <u>Re-Code</u>
32.	Total Effective Claims 12	minus ** 24	= * <u>0</u> x \$22/\$11	= \$00 (108208)
33.	Independent Claims 03	minus *** <u>03</u>	= * <u>0</u> x \$80/\$40	= + .00 (102202)
34.	If amendment enters proper multiple first time,			+00 (1.04204)
35.			ADDITIONAL FEE	\$00
36.		<u>plus</u> FEE f	rom item 27 on page 3	+ 385.00
37.			TOTAL FEE ATTACHED	\$ <u>385.00</u>
8.*	If the entry in the first space is less than entry	in the middle space, the "	Present Extra" result is "0".	
89.*	*If the "Highest number previously paid for" (se	ee item 21 above) is less t	han 20, write "20" in this space.	
lO.*	***If the "Highest number previously paid for" (s	ee item 22 above) is less	than 3, write "3" in this space.	
11.	CHARGE STATEMENT: The Commissioner is fee(s) filed, or asserted to be filed, or which shunder Rules 16-18 (missing or insufficient fee or credit any overpayment, to our Account/Ord This CHARGE STATEMENT does not is filed.	nould have been filed herevonly) now or hereafter relater Nos. shown in the head authorize charge o	with or concerning any paper filed herea ive to this application and the resulting ling hereof for which purpose a <u>duplicat</u> of the <u>issue</u> fee until/unless an i	after, and which may be required Official document under Rule 20, e copy of this sheet is attached.
		ıman Darby & Cushı lectual Property Gro		
116		bury Madison & Sut	•	
Vir	nth Floor, East Tower By Atty: <u>Ke</u>	vin E. Joyce	Reg. No20,	508
	ishington, D.C. 20005-3918 I: (202) 861-3000	D. E.	Fax: (202) 822	2-0944
	ty/Sec: KEJ:jl Sig:	V- A	Tel.: (202) 861	
			2 postcard receipts (CDC-103) 8 or copendency? <b>DOUBLE CHEC</b>	

CDC-110 12/96